

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32269 of 2025**

Arising Out of PS. Case No.-574 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Umakant Yadav Son of Aghori Yadav Resident of village - Bhelawa, P.S.-  
Saharsa Sadar, District - Saharsa (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amarnath Jha, Adv.  
For the State : Md. Aslam Ansari, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**

ORAL ORDER

2      19-05-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the  
offence punishable under Sections 147, 148, 149, 341, 323, 324,  
325, 307, 504, 506 of the Indian Penal Code.

3. The allegation in the First Information Report is  
that on 07.06.2024, the brother of the informant was intercepted  
by 13 named accused persons and 10-15 unknown criminals  
armed with weapons asking him to withdraw a case. It is further  
stated that upon the order being given by co-accused Upendra  
Yadav, co-accused Abhimanyu Yadav fired two rounds and other  
FIR named accused persons started assaulting the brother of the  
informant indiscriminately with iron rod, Khanti and Dabiya  
due to which his brother got seriously injured. There is further  
allegation on one Ramseth Yadav of firing and threatening.

4. Learned counsel for the petitioner submits that a



perusal of the First Information Report itself would reveal that there is specific allegation against three persons being Upendra Yadav, Abhimanyu Yadav and Ramseth Yadav and so far as the other accused persons including the petitioner is concerned, there is general and omnibus allegation against all accused persons including the FIR named and 10-15 unknown criminals. It has further been submitted that there is no gun shot injury upon the informant as disclosed in the bail rejection order itself however, other injuries have been indicated which was caused by hard and blunt substance. The very fact that the accused persons were armed with firearm and yet there is no firearm injury is also an indicator of the fact that there was no intention to kill and hence, no case under Section 307 of the IPC would be made out in the facts of the case. It is further submitted that the petitioner is an old person over 70 years of age. It has also been submitted that in the present case charges have already been framed and two witnesses out of six have already been examined as would appear from the bail rejection order and as pointed out by the learned counsel for the petitioner and one of the co-accused namely, Shiv Kumar Yadav was also directed to be released two months after framing of charge vide order dated 03.10.2024 passed in Cr. Misc. No. 72256 of 2024.



5. Learned APP for the State has opposed the application for anticipatory bail.

6. Taking into consideration that the charges have already been framed and there is no likelihood of the conclusion of the case in the near future, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Saharsa Sadar P.S. Case No. 574 of 2024, subject to the conclusion that:

(I) One of the bailors would be the family member or relative.

(II) The petitioner would appear physically on each and every date in the learned court below and would cooperate in the conclusion of trial and if the petitioner does not appear on any date without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

**(Soni Shrivastava, J)**

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